In

PTO/SB/21 (09-04) Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE on Act of 1995, no person ction of information unless it displays a valid OMB control number. are required to respond Application Number 10/614,373 TRANSMITTAL Filing Date July 7, 2003 First Named Inventor **FORM** Atsushi Kato Art Unit 1773 Examiner Name Stevan A. Resan (to be used for all correspondence after initial filing) Attorney Docket Number 075834.00411 Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance Communication to TC Fee Transmittal Form Drawing(s) Appeal Communication to Board Licensing-related Papers Fee Attached of Appeals and Interferences Appeal Communication to TC **~** Petition (Appeal Notice, Brief, Reply Brief) Amendment/Reply Petition to Convert to a Proprietary Information After Final Provisional Application Power of Attorney, Revocation Status Letter Change of Correspondence Address Affidavits/declaration(s) Other Enclosure(s) (please Identify Terminal Disclaimer **Extension of Time Request** below): Post Card Request for Refund **Express Abandonment Request** CD, Number of CD(s) Information Disclosure Statement

Document(s) The Commissioner is hereby authorized to charge any fees due or to credit any overpayment to Deposit Account No. 20-1495 Reply to Missing Parts/ Incomplete Application Reply to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Name Marr, Ltd. 105 West Adams Street, Suite 3600 Signature Printed name Robert J. Depke Reg. No. Date 37, 607 **CERTIFICATE OF TRANSMISSION/MAILING** I hereby certify that this correspondence is being facyimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addre sed to commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

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Certified Copy of Priority

Rober

J. Depke

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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form antitor suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.:

10/614,373 Confirmation No.:

7415

Applicant:

Atsushi Kato

Filed:

July 7, 2003

TC/A.U.:

1773

Examiner:

Stevan A. Resan

Docket No.:

075834.00411

Customer No.:

33448

RESPONSE TO ELECTION/RESTRICTION REQUIREMENT

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

SIR:

RESPONSE TO ELECTION/RESTRICTION

In response to the Restriction Requirement dated June 15, 2005, Applicants elect, with traverse, claims 1-8, of Invention I, directed to a magnetic recording medium. Applicants therefore withdraw from prosecution in the above-identified application, claims 9-10, of Invention II, directed to a magnetic recording medium, but reserve herein the right to prosecute such claims in a later filed continuation or divisional application.

Applicants therefore await consideration and examination of elected claims 1-8, and respectfully request consideration on the merits in due course.

Respectfully submitted,

Robert J. Depke

TREXLER, BUSHNELL, GIANGIORGI BLACKSTONE & MARR, LTD. 105 W. Adams Street, 36th Floor

(Reg./#27.60

Chicago, Illinois 60603 Tel: (312) 704-1890

Attorney for Applicants

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